

b) Other claims were rejected under 35 U.S.C. §103(a) as being unpatentable over either Goldberg or Ory et al in view of other references (Tsukamoto).

2. A telephone interview was conducted on May 19, 1997 with Examiner Cosimano to discuss the deficiencies of the primary references (Goldberg & Ory et al.).

Applicant's Attorney respectfully requested reconsideration and pointed out that these references would fail to anticipate the claims as written since they fail to teach, mention, suggest or contemplate the idea of using a subscriber unit that wirelessly controls a remote messaging system. The claims as written are believed to be allowable and clearly indicate that an RF transmission system is being used for this inbound link from the subscriber unit back to the remote messaging system. In each instance, Goldberg & Ory et al discuss the use of a separate phone system (a wired link) to remotely control their respective systems. The Examiner concurred with this opinion and indicated that these references did not appear to support the pending rejection. The Examiner indicated that barring the discovery of other pertinent art in a new search, the present case should be in condition for allowance. Further, the Examiner indicated that if a new rejection was forthcoming, such rejection would not be a final rejection.

Again, the applicant respectfully believes the claims of the present invention are not anticipated by Goldberg or Ory et al (or obviated by such references individually or in combination with other cited references) since these references fail to suggest, mention, contemplate or teach the element of a subscriber device that is capable of directing commands wirelessly to the messaging gateway via an RF transmission system so that the subscriber device controls the operation of a remote messaging system. The commands contemplated and claimed by the present invention include allowing the subscriber to command the remote messaging system to save messages or to redirect messages to another recipient..

Accordingly, applicant respectfully submits that the claims, as amended, are clearly and patentably distinguishable over the cited reference of record and as such are to be deemed allowable. Such allowance is hereby earnestly and respectfully solicited at an early date.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to deposit account # 13-4778.

Respectfully submitted,

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